

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

BRANDIE PAIGE WILLIAMS

V.

KROGER STORE #264

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§

CIVIL ACTION NO. G-12-337

**REPORT AND RECOMMENDATION**

A “Suggestion of Death” of the *Pro se* Plaintiff, Brandie Paige Williams, was entered in this cause on February 28, 2014. No Motion for Substitution has been filed within ninety (90) days as required by Rule 25(a)(1) of the Federal Rules of Civil Procedure and, pursuant to the Rule, this action must now be dismissed.

It is, therefore, the **RECOMMENDATION** of this Court that the Original Complaint of Plaintiff, Brandie Paige Williams, against Defendant, Kroger Store #264, be **DISMISSED**.

The Clerk **SHALL** send a copy of this Report and Recommendation to the Parties and to Williams’ sister, Lisa Diese, 2715 Pebble Creek, Pearland, Texas 77581; the Parties **SHALL** have until **Friday, June 6, 2014**, to have written objections, filed pursuant to 28 U.S.C. §636(b)(1)(C), in the Office of the Clerk. The Objections **SHALL** be electronically filed and/or mailed to the Clerk’s Office at P.O. Drawer 2300, Galveston, Texas 77553. Failure to file written objections within the prescribed time **SHALL** bar any Party from attacking on appeal the factual findings and legal conclusions accepted by the District Judge, except upon grounds of plain error.

**DONE** at Galveston, Texas, this 20th day of May, 2014.

  
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John R. Froeschner  
United States Magistrate Judge